

## CONGRESSIONAL RECORD SUMMARY

Thursday, February 26, 2004

### SENATE

#### Measures Introduced:

\_\_\_\_\_ **S. 2132.** A bill *to prohibit racial profiling*; to the Committee on the Judiciary.  
\_\_\_\_\_ Feingold *Pages S 1683, S 1688-92*

#### S. 1805 - Protection of Lawful Commerce in Arms Act:

*Senate agreed to the motion to proceed to consideration of S. 1805, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others, and then began consideration of the bill, taking action on the following amendments proposed thereto:*

*Pages S 1612-71, D 121*

#### **Adopted:**

**Daschle Amendment No. 2621**, to clarify the definition of qualified civil liability action. Pages S1616-20  
**Kohl Amendment No. 2622** (to Amendment No. 2620), to amend chapter 44 of title 18, United States Code, to require the provision of a child safety lock in connection with the transfer of a handgun.

*Pages S 1620-21, D 121*

By 70 yeas to 27 nays (Vote No. 17), **Boxer Amendment No. 2620**, to amend chapter 44 of title 18, United States Code, to require the provision of a child safety device in connection with the transfer of a handgun and to provide safety standards for child safety devices.

*Pages S 1612-16, S 1620-23, D 121*

By 59 yeas to 37 nays (Vote No. 19), **Craig (for Frist/Craig) Amendment No. 2628**, to exempt any lawsuit involving a shooting victim of John Allen Muhammad or John Lee Malvo from the definition of qualified civil liability action that meets certain requirements.

*Pages S 1659-62, D 121*

By 60 yeas to 34 nays (Vote No. 21), **Craig (for Frist/Craig) Amendment No. 2630**, to protect the rights of law enforcement officers who are victimized by crime to secure compensation from those who participate in the arming of criminals.

*Pages S 1666-70, D 121*

#### **Rejected:**

By 40 yeas to 56 nays (Vote No. 20), **Mikulski Amendment No. 2627**, to exempt lawsuits involving a shooting victim of John Allen Muhammad or Lee Boyd Malvo from the definition of qualified civil liability action.

*Pages S 1655-59, S 1662-63, D 121*

By 38 yeas to 56 nays (Vote No. 22), **Corzine Amendment No. 2629**, to protect the rights of law enforcement officers who are victimized by crime to secure compensation from those who participate in the arming of criminals.

*Pages S 1663-66, S 1670, D 121*

#### **Withdrawn:**

**Frist/McConnell Amendment No. 2626**, to make the provisions of the Voting Rights Act of 1965 permanent.

*Pages S 1649-55, D 121*

#### **Pending:**

**Hatch (for Campbell) Amendment No. 2623**, to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns.

*Pages S 1623-34, D 121-2*

## **S. 1805 - Protection of Lawful Commerce in Arms Act (cont.):**

***Kennedy Amendment No. 2619***, to expand the definition of armor piercing ammunition and to require the Attorney General to promulgate standards for the uniform testing of projectiles against body armor.

*Pages S 1634-39, D 122*

***Craig (for Frist/Craig) Amendment No. 2625***, to regulate the sale and possession of armor piercing ammunition.

*Pages S 1639-41, D 122*

**During consideration of this measure today, the Senate also took the following action:**

By 58 yeas to 39 nays (Vote No. 18), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, ***Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Cantwell Amendment No. 2617, to extend and expand the Temporary Extended Unemployment Compensation Act of 2002.*** Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, was sustained, and the amendment thus falls. Pages S1641-49, S1655 A unanimous-consent agreement reached providing for further consideration of the bill at 9:30 a.m., on Friday, February 27, 2004.

*Page S 1848*

## **Committee Meetings:**

**Committee on the Judiciary:** *Committee met to discuss certain committee business, made no announcements, and recessed subject to the call.*

*Page D 124*

## **HOUSE**

### **Measures Introduced:**

**H.R. 3847.** A bill ***to prohibit racial profiling***; to the Committee on the Judiciary.

Conyers

*Page H 698*

**H.R. 3851.** A bill ***to authorize an additional permanent judgeship for the district of Hawaii***; to the Committee on the Judiciary.

Abercrombie

*Page H 699*

**H.R. 3856.** A bill ***to limit the congressional redistricting that States may do after an apportionment***; to the Committee on the Judiciary.

Green

*Page H 699*

### **H.R. 1997 - Unborn Victims of Violence Act:**

***The House passed H.R. 1997, to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder, by a yeas-and-nays vote of 254 yeas to 163 nays, Roll No. 31.***

*Pages H 637-68, D 124*

#### **H.R. 1997 - Unborn Victims of Violence Act (cont.):**

*"...It is becoming more and more difficult for Congress and the courts to pass the smell test as government simultaneously treats the unborn as a person in some instances and as a nonperson in others. In his first formal complaint to Congress on behalf of the Federal Judiciary, Chief Justice William H. Rehnquist said 'the trend to federalize crimes that have traditionally been handled in state courts . . . threatens to change entirely the nature of Federal system.' Rehnquist further criticized Congress for yielding to the political pressure to 'appear responsive to every highly publicized societal ill or sensational crime.' Perhaps, equally dangerous is the loss of another constitutional protection which comes with the passage of more and more Federal criminal legislation. Constitutionally, there are only three Federal crimes..."*  
(Paul, page H 657)

#### **Rejected:**

Lofgren amendment in the nature of a substitute that sought to make it a federal crime to assault a pregnant woman and establish penalties for causing a prenatal injury or termination of the pregnancy, in addition to the penalties imposed for the assault to the mother (rejected by a yea-and-nay vote of 186 yeas to 229 nays. Roll No. 30).

Pages H 660-667, D 124

**H. Res. 529**, the rule providing for consideration of the bill was agreed to on Wednesday, February 25.

Page D 124

#### **Committee Meetings:**

---

**Committee on Government Reform: Held a hearing entitled "Will 'Network' Work? A Review of Whether a Centralized Government Telecom Plan Jibes with an Ever-Evolving Market." Testimony was heard from the following officials of the GSA: Stephen Perry, Administrator; and Sandra Bates, Commissioner, Federal Technology Service; Linda Koontz, Director, Information Management Issues, GAO; Drew Ladner, Chief Information Officer, Department of the Treasury; Melvin J. Bryson, Director, Information Technology, Administrative Office of the U.S. Courts; and public witnesses.**

Page D 126

#### **Remarks:**

##### **The Defense of Impossibility.**

*"...I think it was highly inappropriate for Justice Scalia to go on a hunting trip with Vice President Cheney when he was a defendant in a case, but it is inaccurate to say that this calls into question Justice Scalia's impartiality. You cannot call into question that which does not exist. Questioning Justice Scalia's impartiality is like questioning Janet Jackson and Justin Timberlake's sense of propriety, or Saddam Hussein's weapons of mass destruction, or the President's plan to cut the budget deficit in half in 5 years. In fact, if you read Justice Scalia's opinions, they are singularly devoid of impartiality..."*

Frank

Page H 636

##### **The Matthew Perry Courthouse.**

Clyburn

Pages H 673-76

**Next Meeting of the SENATE: 9:30 a.m., Friday, February 27, 2004.**

**Next Meeting of the HOUSE: 12:00 p.m., Monday, March 2, 2004.**